

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.308 of 2026

Arising Out of PS. Case No.-149 Year-2025 Thana- MAHISHI District- Saharsa

Pradip Kumar @ Pradip Sah S/o Late- Ramchandra Sah, R/o Village- Mahisarho, P.S- Mahishi, Dist- Saharsa, Bihar.

... .. Petitioner

Versus

1. The State of Bihar.
2. Laxmi Devi Wife of Pradip Sah, Resident of Village- Mahisarho, P.S.- Mahishi, Saharsa.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

5 17-06-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Mahishi P.S. Case No. 149 of 2025 dated 15.05.2025, registered for the offences punishable under Sections 126(2), 115(2), 109, 76, 85, 352 and 351(2) read with Section 3(5) of the B.N.S., 2023 and Sections 3 and 4 of the Dowry Prohibition Act.

3. As per the prosecution case, petitioner is the husband of the informant and allegation against the petitioner and his family members is that they had been demanding Rs. 5,00,000/- in dowry and a Bullet motorcycle from the father of



the informant. On non-fulfillment of this demand, the informant was being tortured and ultimately the petitioner and other co-accused persons burnt the whole body of the informant by an iron-rod.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. The petitioner neither demanded any dowry nor burnt the body of the informant with iron-rod. The informant somehow received the injuries and falsely implicated the petitioner and his family members. Moreover, injury report shows only simple injuries though caused by hard and blunt hot substance. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 17.09.2025 and have been sufficiently penalized.

5. Learned A.P.P. appearing on behalf of the State vehemently opposes the submissions made on behalf of the petitioner and submits that injury report clearly shows the informant was scalded by the petitioner with hot iron-rod and considering his beastly conduct he does not deserve bail.

6. Having regard to the facts and circumstances and



submissions made on behalf of the parties and considering the submission of chargesheet and petitioner's period of custody, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa / concerned Court, in connection with **Mahishi P.S. Case No. 149 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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